



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004-2201

14 SEP 2006

In re Application of :
DIVIES et al :
U.S. Application No.: 10/537,665 :
PCT No.: PCT/FR03/50155 :
Int. Filing Date: 05 December 2003 :
Priority Date: 06 December 2002 :
Attorney Docket No.: P70644US0 :
For: METHOD FOR CONTROLLING :
RETENTION OF AN ORGANIC :
COMPOUND OR OF A PLURALITY . . . :

**DECISION ON
PAPERS FILED
UNDER 37 CFR 1.42**

This is a decision on the declaration filed on 31 May 2006 which has been treated as a petition under 37 CFR 1.42. No fee is required.

BACKGROUND

On 31 March 2006, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath/declaration in compliance with 37 CFR 1.497(a) and (b) must be provided. Applicants were given two months to respond.

On 31 May 2006, applicants submitted a declaration signed by four of the five named inventors and the executor (legal representative) of the deceased inventor.

DISCUSSION

Applicants filed a declaration signed by four of the five named inventors and the executor of a deceased inventor. 37 CFR 1.42 *When the Inventor is Dead*, states, in part:

In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent.

The citizenship, residence and address of all inventors are listed on the declaration pursuant to 37 CFR 1.497(a)(3) and 37 CFR 1.63(c)(1). Moreover, the citizenship, residence and address of the executor (legal representative) of the deceased inventor are recorded on the declaration pursuant to 37 CFR 1.497(b)(2).

CONCLUSION

The papers filed under 37 CFR 1.42 are ACCEPTED.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 05 December 2003, under 35 U.S.C. 363 and a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 31 May 2006.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.



James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302